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JC813 U.S. PTO

Attorney's Docket No. 2384/001440

**PATENT APPLICATION TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Transmitted herewith for filing is the patent application of: Wilhelm Elsner

Entitled: Variety of Geranium Named 'PENDEC'

Enclosed are: ☒ 2 sheets of drawings  
☒ An Assignment of the invention to: Elsner pac Jungpflanzen  
☒ Declaration  
☐ Small Entity Statement under 37 CFR 1.9 and 1.27

**CLAIMS AS FILED**

	<u>No. Filed</u>	<u>No. Extra</u>	<u>Small Entity Rate</u>	<u>Non-Small Entity Rate</u>	<u>Charge</u>
Total					
Claims	<u>1</u>	<u>-20 = 0</u>	x \$ 9.00	x \$ 18.00	\$ <u>0</u>
Indep.					
Claims	<u>0</u>	<u>-3 = 0</u>	x \$ 39.00	x \$ 78.00	\$ <u>0</u>
Multiple Dependent Claim/s			+ \$130.00	+ \$260.00	\$ <u>0</u>
Basic Fee			+ \$345.00	+ \$690.00	\$ <u>480.00</u>
			Total of above Charges		\$ <u>0</u>
			Total Fee		\$ <u>480.00</u>

A check/s in the amount/s of \$ 480.00/40.00 is enclosed to cover the filing fee and Assignment recordal.

The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16 or patent application processing fees under 37 CFR 1.17 associated with this communication to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650.

An original and two copies of this sheet are enclosed.

September 18, 2000  
Date

By Russell D. Orkin

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A Plant

PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

ATTORNEY'S DOCKET NUMBER

Wilhelm Elsner

2384/001440

ENTITLED

"Variety of Geranium Named 'PENDEC'"

JCE53 U.S. PTO  
09/18/00  
09/18/00

To the Application Branch

Assistant Commissioner for Patents  
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

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Date of Deposit September 18, 2000

I hereby certify that the following attached paper or fee

PATENT APPLICATION TRANSMITTAL LETTER (original and two (2) copies); Plant Patent Application (7pp.); 2 original drawings; ~~\_\_\_\_\_~~; Declaration and Power of Attorney (2pp.); Assignment (1p.); Assignment Transmittal - Patents Only - (1p.) and check in amount of \$480.00; and a check in the amount of \$40.00

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Beth Kennedy

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Beth Kennedy  
(Signature of person mailing paper or fee)

## VARIETY OF GERANIUM NAMED 'PENDEC'

### BACKGROUND OF THE INVENTION

This discovery relates to a new and distinct cultivar of *Pelargonium x peltatum* known by the varietal name of 'Pendec.' The seedling from the present variety is a spontaneous mutation of 'Pendresd' (patent pending). The new variety was discovered in France on June 22, 1996. The new variety was first asexually reproduced by cuttings at Elsner pac Jungpflanzen in Dresden, Germany on October 15, 1996. It has been found to retain its distinctive characteristics through successive propagations.

The new cultivar has similar flower color and form to 'Pendresd' but is a shorter internode length and has yellower stems than 'Pendresd.'

The cultivar, when grown in a glass greenhouse at high humidity using natural light and 18°C night and 20°C day, has a response time of ten weeks from a rooted cutting to flowering in a 10 cm pot. The response time was determined on plants grown in peat substrates.

### DESCRIPTION OF THE DRAWING

The accompanying photographic drawing illustrates the new variety, with the color being as nearly true as is possible with color illustrations of this type.

### DESCRIPTION OF THE PLANT

The following detailed descriptions set forth the characteristics of the new variety. The data which define these characteristics were collected from asexual reproductions carried out at Elsner pac Jungpflanzen, Kipsdorfer Strasse 146, D-01279, Dresden, Germany. The color readings were taken in natural light. Color references are primarily to the Royal Horticultural Society Colour Chart.

### THE PLANT

Classification:

Botanical: *Pelargonium x pelatatum*.

Varietal: Ivy-geranium named 'Pendec'.

[illegible]

5    Strength:                No artificial support required.

Foliage: Alternate leaf attachment.

Rooting time: 3.5 - 4 weeks.

Size:

Width: 4 - 5 cm.

Margin: Pedately lobed with serrations.

15                      Top surface:                      Green Group 137A.

Zone: Green Group 139A.

Venation: Palmate.

Petioles:

Color: Yellow-green Group 145C.

25                      Color:                      Yellow Group 150C.

Internode length: 2 - 4 cm.

## Cluster:

2

Size: Approximately 2.5 cm diameter.

Number of buds per cluster: Approximately seven.

Individual buds (when showing five leaf pairs):

Shape: Elongated.

5 Size: 3 mm wide, up to 1 cm long.

### INFLORESCENCE

Blooming habit: Windmill-shaped.

Borne: Umbel, florets on pedicel, pedicel on peduncle.

Size of umbel: 7 - 9 cm in diameter.

10 Open florets:

Form: Single, free spaces between petals, approximately seven florets per umbel.

Size: 3 cm wide, 4.5 cm high, 2 cm deep.

Petals:

15 Color:

Top surface: Red Group 56D

Bottom surface: White Group 155D.

Shape: Spoon-shaped.

Size:

20 Upper: 1.5 cm wide, 2.7 cm long.

Lower: 1.1 cm wide, 2.2 cm long.

Texture and appearance: Smooth.

Tonality from a distance: White pearls over green foliage.

Petaloids: None.

25 Pedicel:

Length: 2.5 - 3 cm.

Color: Yellow Group 145C and Red Group 60B.

Peduncle:

Length: 4 - 6 cm.

- Color: Yellow-green Group 145C.
- Disease and pest resistance: No unusual susceptibility and to disease or pests seen to date.
- 5 Lasting quality: Flowers hold 8 - 10 days, depending on weather conditions; resistant in rain.

REPRODUCTIVE ORGANS

- Stamens:
- 10      Anthers: Up to 3 mm long.
- Filaments:
- Length: Up to 5 mm.
- Color: Yellow Group 11D.
- Pollen: Bright yellow.
- Pistils:
- 15      Number: 1;5 parted.
- Length: 1 - 1.2 cm.
- Stigma:
- Number: 1;5 parted.
- Color: Red-purple Group 59D.
- Style:
- 20      Color: White.
- Length: 5 mm.
- Ovaries:
- Color: Green Group 141C.
- Size: 5 mm long; 2 mm wide.
- 25      Pubescence: Some present.
- Fruit: None observed.

GENERAL CHARACTERISTICS

The new geranium variety provides a flower color similar to its parent, 'Pendresd,' with a shorter internode length and a different color stem

Catalytic Efficiency		Thermal Stability		pH Stability		Salt Tolerance		Substrate Specificity	
Enzyme	Activity (U/mg)	Half-life (h)	Optimal pH	Optimal Temp (°C)	Optimal pH	Optimal Temp (°C)	Optimal pH	Optimal Temp (°C)	Optimal pH
Enzyme A	120	24	7.0	45	7.0	45	7.0	45	7.0
Enzyme B	150	36	8.0	50	8.0	50	8.0	50	8.0
Enzyme C	180	48	9.0	55	9.0	55	9.0	55	9.0
Enzyme D	210	60	10.0	60	10.0	60	10.0	60	10.0
Enzyme E	240	72	11.0	65	11.0	65	11.0	65	11.0
Enzyme F	270	84	12.0	70	12.0	70	12.0	70	12.0
Enzyme G	300	96	13.0	75	13.0	75	13.0	75	13.0
Enzyme H	330	108	14.0	80	14.0	80	14.0	80	14.0
Enzyme I	360	120	15.0	85	15.0	85	15.0	85	15.0
Enzyme J	390	132	16.0	90	16.0	90	16.0	90	16.0
Enzyme K	420	144	17.0	95	17.0	95	17.0	95	17.0
Enzyme L	450	156	18.0	100	18.0	100	18.0	100	18.0
Enzyme M	480	168	19.0	105	19.0	105	19.0	105	19.0
Enzyme N	510	180	20.0	110	20.0	110	20.0	110	20.0
Enzyme O	540	192	21.0	115	21.0	115	21.0	115	21.0
Enzyme P	570	204	22.0	120	22.0	120	22.0	120	22.0
Enzyme Q	600	216	23.0	125	23.0	125	23.0	125	23.0
Enzyme R	630	228	24.0	130	24.0	130	24.0	130	24.0
Enzyme S	660	240	25.0	135	25.0	135	25.0	135	25.0
Enzyme T	690	252	26.0	140	26.0	140	26.0	140	26.0
Enzyme U	720	264	27.0	145	27.0	145	27.0	145	27.0
Enzyme V	750	276	28.0	150	28.0	150	28.0	150	28.0
Enzyme W	780	288	29.0	155	29.0	155	29.0	155	29.0
Enzyme X	810	300	30.0	160	30.0	160	30.0	160	30.0
Enzyme Y	840	312	31.0	165	31.0	165	31.0	165	31.0
Enzyme Z	870	324	32.0	170	32.0	170	32.0	170	32.0

**I CLAIM:**

1. A new and distinct variety of geranium plant named 'Pendec'  
as described and illustrated herein.

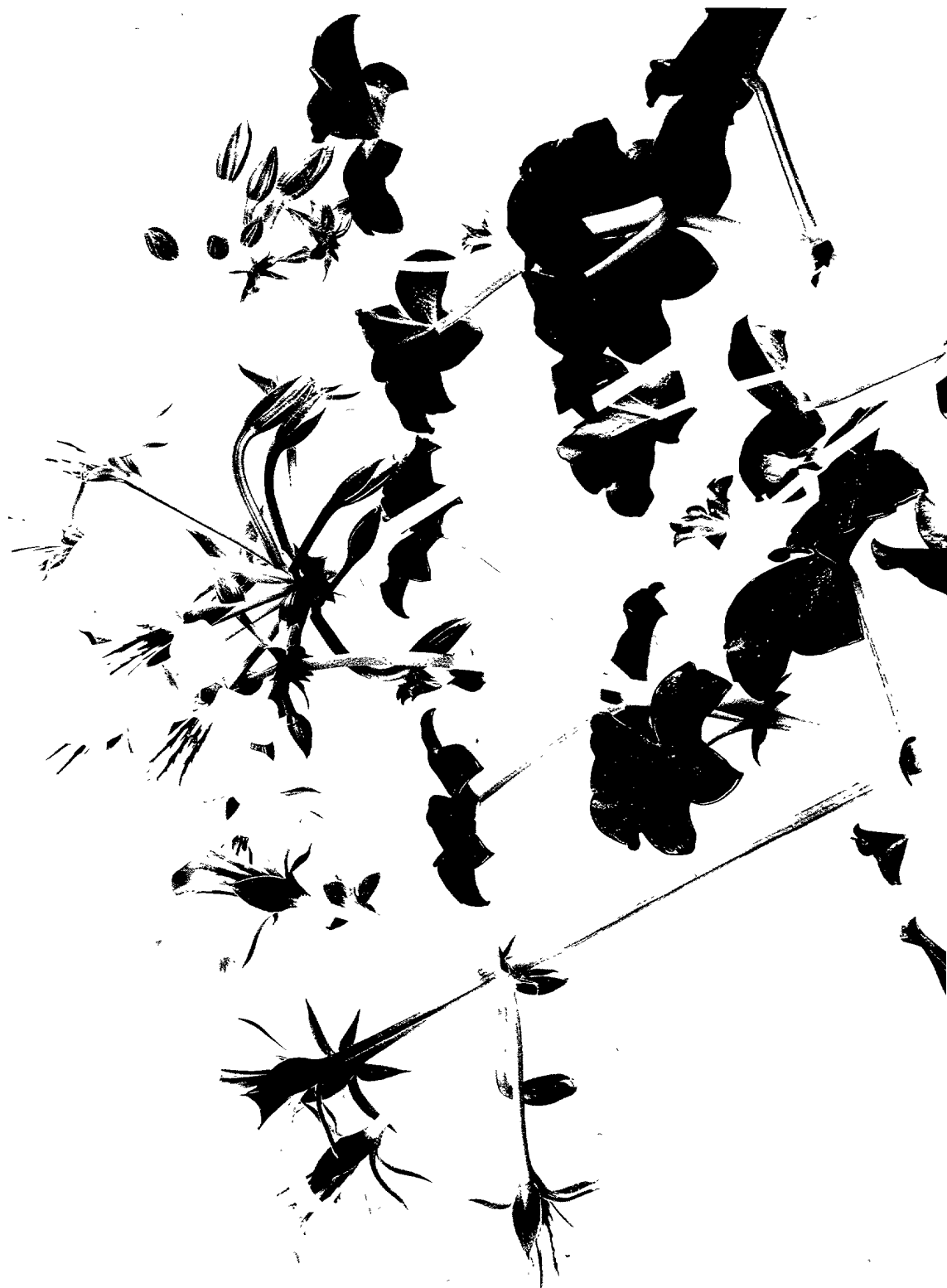
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### ABSTRACT

A new and distinct variety of geranium having flowers with a pinkish-white color above medium green foliage and a yellow stem. It provides superb cuttings and performs well in a hanging basket. The blooms hold up well  
5 when exposed to direct sunlight.

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I, WILHELM ELSNER, declare:

I am a citizen of Germany whose post-office address is Weesensteiner Strasse 14,  
D-01279 Dresden, Germany.

I believe myself to be the original, first and sole inventor of the improvement entitled VARIETY OF GERANIUM NAMED 'PENDEC' which is described and claimed in the annexed specification.

I have asexually reproduced the new and distinct variety.

I have received and understand the contents of the specification, including the claim.

I do not know and do not believe that the same was ever known or used in the United States before our invention thereof; or patented or described in any printed publication in any country before my invention or more than one year prior to this application; or in public use or on sale in the United States more than one year prior to this application.

Said invention has not been patented or been made the subject of an inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

No application for patent or inventor's certificate thereon has been filed by me or my legal representatives or assigns in any country foreign to the United States.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint Russell D. Orkin, Registration No. 25,363; William H. Logsdon, Registration No. 22,132; David C. Hanson, Registration No. 23,024; Richard L. Byrne, Registration No. 28,498; Frederick B. Ziesenheim, Registration No. 19,438; Kent E. Baldauf, Registration No. 25,826; Barbara E. Johnson, Registration No. 31,198; Paul M. Reznick, Registration No. 33,059; John W. McIlvaine, Registration No. 34,219; Michael I. Shamos, Registration No. 30,424; Blynn L. Shideler, Registration No. 35,034; Julie W. Meder, Registration No. 36,216; Lester N. Fortney, Registration No. 38,141; Jesse A. Hirshman, Registration No. 40,016; Randall A. Notzen, Registration No. 36,882; James G. Porcelli, Registration No. 33,757; Kent E. Baldauf, Jr., Registration No. 36,082; Christian E. Schuster, Registration No. 43,908; Deborah M. Altman, Registration No. 42,259; Dean E. Geibel.

Registration No. 42,570; Thomas J. Clinton, Registration No. 40,561; and Nathan J. Prepelka, Registration No. 43,016, whose post-office address is 700 Koppers Building, 436 Seventh Avenue, Pittsburgh, Pennsylvania 15219-1818, Telephone No. 412-471-8815, my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, to amend the specification, to appeal in case of rejection, as they may deem advisable, to receive the patent when granted and generally to do all matters and things needful in the premises, as fully and to all intents and purposes as we could do.

**All correspondence and telephone calls should be addressed to Russell D. Orkin.**

I hereby subscribe my name to the foregoing specification and claims, declaration and power of attorney.

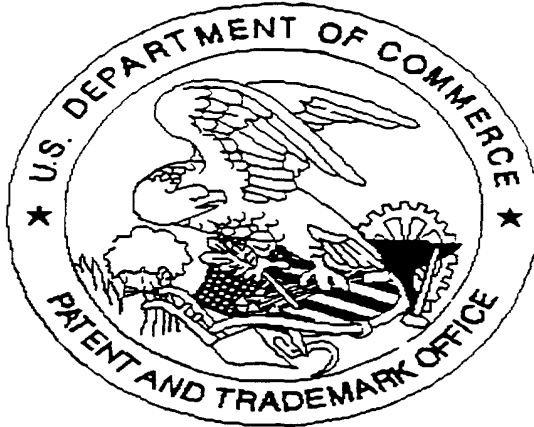
Date 08.09.00

Inventor   
Wilhelm Elsner

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